

Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, Friday, November 14, was the closing of the public comment period for the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers' proposed "waters of the United States"—WOTUS, as it is known—rule under the Clean Water Act, which would dramatically expand the scope of Federal authority over water and land uses across the United States.

Enacted in 1972, the Clean Water Act was created as a partnership between the States and the Federal EPA in order to better manage identified pollution sources through a range of pollution control programs.

This new proposed rule is a direct threat to this longstanding federalist approach created by the law, which has been long supported by Republicans and Democrats alike for over four decades.

It is through this federalist model, which enables regulators at the Federal, State, and local levels to provide adequate flexibility to address water quality while accounting for local and regional variations and conditions, that Pennsylvania has demonstrated a track record of success in improving and protecting the ecological health of its waters. Unfortunately, the proposed rule would dramatically expand the Federal authority to the detriment of our economy and at the expense of existing State-Federal partnerships that have been effective in protecting and improving the biological integrity of our watersheds and waterways.

For this reason, I along with Senator PAT TOOMEY and eight additional members of the Pennsylvania delegation in the U.S. House of Representatives voiced our strong opposition to this flawed policy. In comments submitted Friday to the agencies, we outlined concerns specific to our home State and those of our constituents, including private landowners, counties, municipalities, farmers, foresters, among so many who will be negatively impacted if this rule is allowed to be fully implemented.

Mr. Speaker, there is a widespread agreement that the Clean Water Act has been a beneficial tool for the management and the health of our Nation's watersheds and water quality.

While Congressional intent of the Clean Water Act has been limited to "navigable waters," the extent of the law's jurisdiction has been the subject of much litigation and regulatory action. Complicating the issue further are Supreme Court decisions that have not adequately described the scope of Federal authority under the law resulting, at times, in conflict.

While the existing law and the Supreme Court have left uncertainty regarding what constitutes a "water of the United States," previous holdings have made clear that the Federal Government's authority is not limitless.

Unfortunately, the proposed rule assumes just that—limitless Federal authority.

Mr. Speaker, the reason this is so concerning is that many of these issues are best regulated at the State level in a manner that recognizes regional differences in geography, climate, geology, soils, hydrology, and rainfall, among other variables. Rather than strengthen the law, the rule creates more confusion—confusion that will most certainly delay permitting and will undermine strong water quality programs that exist in Pennsylvania and in other States. Moreover, this type of uncertainty is susceptible to inconsistent interpretation and application, which holds the potential for substantial implementation costs across the various Clean Water Act programs, and will likely invite more enforcement actions and third-party litigation.

In addition to jeopardizing existing water quality control programs, the economic impact of the proposed rule will be far-reaching. Activities that drive economic development in Pennsylvania, such as highway and road construction, pipeline projects, energy production, infrastructure projects, farming, flood control, and public works projects will all be subject to Federal permitting if this proposal is finalized.

For example, the rule would make most ditches into tributaries. Routine maintenance activities in ditches and on-site ponds and impoundments could trigger permits that can cost \$100,000 or more. These permitting requirements would likely trigger additional environmental reviews which would add years to the completion time for ordinary projects, which means more costs for landowners and more regulatory burdens upon the States, all with no guarantee or measurable benefits to our waters.

Mr. Speaker, we all agree that managing the Nation's water is critically important, but in this case, the Federal Government has failed to recognize the fundamental role that States play in meeting our shared goals of clean watersheds and water resources. Mr. Speaker, it is time for EPA and the Corps to vacate this proposal, get back to the drawing board, and fix the fundamental flaws within this rule. The American people, including my constituents in Pennsylvania, deserve as much.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JOLLY) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Dear God, we give You thanks for giving us another day.

We ask Your special blessing upon the Members of this people's House. They face difficult decisions in difficult times with many forces and interests demanding their attention.

We are grateful, O God, that You have given to them the goals of justice and the designs of freedom. Remind each Member that it is their work to develop the strategies and plans of achieving those goals and designs being mindful of the prompting of Your spirit.

You have given to each of them and to us all the abilities to do good works, so we pray that we will be faithful in our tasks, responsible in our actions, and fervent in our desire to serve.

Bless us all, O God, this day and every day to come. And may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of North Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HONORING RICHARD FISHER

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, I rise today to honor the work of Richard Fisher, who will be retiring as the president of the Federal Reserve Bank of Dallas this coming spring.

President Fisher's work at the institution for the past 10 years has served our area well. Richard has been a fearless advocate for the low regulation of the Texas economy. Because of his stance, north Texas has experienced tremendous economic growth and vitality during the time of his presidency.

I feel privileged to have known and worked closely with President Fisher during the time he and I worked together on economic development summits in southeast Fort Worth. Those were a huge success and were helpful to the small businesses that were in an economically challenged area. He was always available and helpful to me personally. His stances on preventing banks that are too big to fail from coming to the taxpayer for bailouts was inspiring.

On behalf of the 26th District of Texas, I commend President Richard Fisher on a job well done. I congratulate him on his retirement and wish him every success in the future.

PRESIDENT DECEIVED AMERICANS ABOUT OBAMACARE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, in yesterday's Charleston Post and Courier, Charles Krauthammer points out the President's deceit when misrepresenting ObamaCare before shoving it through a Democratic Congress.

According to the column, an "October 2013 video has surfaced that shows MIT Professor Jonathan Gruber, a principal architect of ObamaCare, admitting that, in order to get it passed, the law was made deliberately obscure and deceptive. It constitutes the ultimate vindication of the charge that ObamaCare was sold on a pack of lies."

As more is revealed about the truth behind the President's manipulation when passing ObamaCare, "It's refreshing that 'the most transparent administration in history' . . . should finally display candor about its signature act of social change. Inadvertently, of course. But now we know what lay behind Obama's smooth . . . arrogance . . . that rules in the name of the citizenry it mocks, disdains, and deliberately, contemptuously deceives."

It is sad Democratic elitists believe their voters are stupid.

In conclusion, God bless our troops. The President should take action to never forget September the 11th and the global war on terrorism.

The SPEAKER pro tempore. The Chair must remind all Members that remarks in debate may not engage in personalities toward the President.

MIZZOU 175TH BIRTHDAY

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, today I rise to recognize my alma mater, the University of Missouri, as it celebrates 175 years of providing quality education, cutting-edge research, and practical extension services to all Missourians.

Mizzou was the first State university established west of the Mississippi and

is a school rich with tradition. I am humbled to be a graduate of such a longstanding, esteemed institution.

The University of Missouri was home to the first journalism school in the world and is still recognized as one of the best schools around the world for agriculture, business, and journalism, just to name a few.

The core values of the University of Missouri—respect, responsibility, discovery, and excellence—leave a mark on every individual influenced by this institution and have helped shape me as an American citizen and lawmaker.

Throughout my career in education and public service, I have striven to uphold the values of the university and sleep well knowing that all alumni, present and future, will do the same.

I am so proud to be a Tiger, and I wish a very happy birthday to Mizzou. Go Tigers!

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

FEDERAL DUCK STAMP ACT OF 2014

Mr. FLEMING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5069) to amend the Migratory Bird Hunting and Conservation Stamp Act to increase in the price of Migratory Bird Hunting and Conservation Stamps to fund the acquisition of conservation easements for migratory birds, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5069

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Duck Stamp Act of 2014".

SEC. 2. INCREASE IN PRICE OF MIGRATORY BIRD HUNTING AND CONSERVATION STAMP TO FUND ACQUISITION OF CONSERVATION EASEMENTS FOR MIGRATORY BIRDS.

The Migratory Bird Hunting and Conservation Stamp Act is amended—

(1) in section 2(b) (16 U.S.C. 718b(b))—

(A) by striking "1990, and" and inserting "1990,"; and

(B) by striking "for each hunting year thereafter" and inserting "for hunting years 1991 through 2013, and \$25 for each hunting year thereafter";

(2) by adding at the end of section 2 (16 U.S.C. 718b) the following:

"(C) REDUCTION IN PRICE OF STAMP.—The Secretary may reduce the price of each stamp sold under the provisions of this section for a hunting year if the Secretary determines that the in-

crease in the price of the stamp after hunting year 2013 resulted in a reduction in revenues deposited into the fund."; and

(3) in section 4 (16 U.S.C. 718d)—

(A) in subsection (a)(3), by inserting before the period the following: "in which there shall be a subaccount to which the Secretary of the Treasury shall transfer all amounts in excess of \$15 that are received from the sale of each stamp sold for each hunting year after hunting year 2013";

(B) in subsection (b)(1), by striking "So much" and inserting "Except as provided in paragraph (4), so much";

(C) in subsection (b)(2), by striking "paragraph (3)" and inserting "paragraphs (3) and (4)"; and

(D) by adding at the end of subsection (b) the following:

"(4) CONSERVATION EASEMENTS.—Amounts in the subaccount referred to in subsection (a)(3) shall be used by the Secretary solely to acquire easements in real property in the United States for conservation of migratory birds."

SEC. 3. ANNUAL REPORT ON EXPENDITURES.

Section 4 of the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718d) is further amended—

(1) in subsection (c)—

(A) by striking so much as precedes "The Secretary may" and inserting the following:

"(c) PROMOTION OF STAMP SALES.—"; and

(B) by striking paragraph (2); and

(2) by adding at the end the following:

"(d) ANNUAL REPORT.—The Secretary shall include in each annual report of the Commission under section 3 of the Migratory Bird Conservation Act (16 U.S.C. 715b)—

"(1) a description of activities conducted under subsection (c) in the year covered by the report;

"(2) an annual assessment of the status of wetlands conservation projects for migratory bird conservation purposes, including a clear and accurate accounting of—

"(A) all expenditures by Federal and State agencies under this section; and

"(B) all expenditures made for fee-simple acquisition of Federal lands in the United States, including the amount paid and acreage of each parcel acquired in each acquisition;

"(3) an analysis of the refuge lands opened, and refuge lands closed, for hunting and fishing in the year covered by the report, including—

"(A) identification of the specific areas in each refuge and the reasons for the closure or opening; and

"(B) a detailed description of each closure including detailed justification for such closure;

"(4) the total number of acres of refuge land open for hunting and fishing, and the total number of acres of refuge land closed for hunting and fishing, in the year covered by the report; and

"(5) a separate report on the hunting and fishing status of those lands added to the system in the year covered by the report."

SEC. 4. EXEMPTION FOR TAKINGS BY RURAL ALASKA SUBSISTENCE USERS.

Section 1(a)(2) of the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718a(a)(2)) is amended by striking "or" after the semicolon at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting "or", and by adding at the end the following:

"(D) by a rural Alaska resident for subsistence uses (as that term is defined in section 803 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3113))."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. FLEMING) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.